

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ERIC BURKE, CRAIG BARKER,
RICK CALTON, ARTHUR SALISBURY,
WILLIAM CORY TANNER, BRIAN
TANNER, JASON ABLAN, FRANK
ROBERTS, and RANDY SHERMAN
on behalf of themselves and all
others similarly situated,

CIVIL ACTION. No. 1:20-cv-03742
(PMH)

Plaintiffs,

v.

BIMBO BAKERIES USA, INC., and,
BIMBO FOODS BAKERIES
DISTRIBUTION, LLC

ELECTRONICALLY FILED

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to the Court's Order dated October 16, 2020, see Dkt. 98, which was later extended by Order dated November 17, 2020, see Dkt. 100, the Parties hereby file this stipulation of dismissal with prejudice of all of Plaintiffs' and Opt-in Plaintiffs' claims asserted in this Action, with no award of costs, interest, or attorney's fees, and the Parties waiving all rights of appeal.

[signatures on following page]

Dated: November 30, 2020



LICHTEN & LISS-RIORDAN, P.C.

Harold Lichten
Matthew Thomson
729 Boylston St., Suite 2000
Boston, MA 02116
hlichten@llrlaw.com
mthomson@llrlaw.com

Samuel A. Alba
Friedman & Ranzenhofer, P.C.
74 Main Street
Akron, NY 14001
716-631-9999
sam@legalsurvivalcom

Attorneys for Plaintiffs

MORGAN, LEWIS & BOCKIUS LLP

Michael J. Puma
Brett Janich*
Jeffrey Becker*
1701 Market St.
Philadelphia, PA 19103-2921
michael.puma@morganlewis.com

**Admitted Pro Hac Vice*

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Matthew Thomson, hereby certify that on this 30th day of November, 2020, the foregoing motion is available for viewing and downloading from the ECF system, and will be sent electronically to counsel of record as registered participants identified on the Notice of Electronic Filing.

/s/ *Matthew Thomson*
Matthew Thomson